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**REMARKS** 

The Applicants thank the Examiner for the thorough consideration given the present

application. Claims 1-10 are pending. Claims 1, 4, 7, and 10 are independent. None of the

claims have been amended. The Examiner is respectfully requested to reconsider the

rejections in view of the remarks set forth herein.

Claim for Priority

The Examiner has acknowledged the Applicants' claim for foreign priority.

<u>Drawings</u>

It is gratefully appreciated that the Examiner has accepted the drawings.

Rejection Under 35 U.S.C. § 102(e)

Claims 1-10 stand rejected under 35 U.S.C. § 102(e), as being anticipated by Yamada

et al. This rejection is respectfully traversed.

In response, the Applicants respectfully submit that each of independent claims as

originally filed sets forth a novel combination of features not taught or suggested by the

references cited by the Examiner, including Yamada et al.

As set forth in each of independent claims 1, 4, 7, and 10, the present invention

includes, inter alia, "attaching thumbnail images of said representative images to the surface

of said storage medium disk".

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Support for the novel combination of features in claims 1, 4, 7, and 10, can be found

in the specification, for example, on pages 3 and 4. For example, beginning on page 3, line

16, the specification discloses "the expression 'attached to the surface of the storage medium

disk' refers to, for example, not only a thumbnail image of a representative image directly

printed onto the surface of the storage medium disk, but also includes the sticking of a

representative image printed out as a sticker, etc. onto the surface of the storage medium

disk, or any other method providing for recognition of the representative images on the

surface of the storage medium disk".

In addition, beginning on page 4, line 13, the specification discloses, "the surface of

the storage medium disk" includes the physical region of recording on a storage medium and

the support body thereof". Further support for the presently claimed subject matter can be

found in FIG. 1 of the present application, which shows thumbnail image 9 attached to the

surface 8 of the storage medium 7.

By contrast, as can be seen in Yamada et al. paragraphs [0009] to [0012], this

document merely discloses storing the encoded data of the thumbnail images of the

representative images in the storage medium. Further, as can be seen in the Yamada et al.

FIGS. 4-15, this document merely discloses how data is encoded and show the encoded data

is stored in the storage medium.

Nowhere in Yamada et al. is there any hint of "attaching thumbnail images of said

representative images to the surface of said storage medium disk", as presently claimed.

At least for the reasons set forth above, the Applicants respectfully submit that the

references cited by the Examiner, including Yamada et al., fail to teach or suggest the

combination of novel features set forth in any of independent claims 1, 4, 7, and 10.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Independent claims 1, 4, 7, and 10, and the claims depending therefrom are in condition for

allowance.

Rejection Under 35 U.S.C. § 101

Claim 10 stands rejected under 35 U.S.C. § 101 as allegedly being directed to a

recording medium storing non functional descriptive material. The Examiner proceeds to

state "Data structures not claimed .... are descriptive material per se and are not statutory....".

This rejection is respectfully traversed.

The Applicants respectfully submit that independent claim 10 as originally filed sets

forth "A storage medium for recording some or all of plural sets of image data, wherein

index images of the representative images of the images represented by said plural sets of

image data are attached to the surface of the storage medium disk". As such, independent

claim 10 properly sets forth the structural relationship among a combination of elements

comprising the storage medium. Support for the novel combination of features set forth in

claim 10 can be found for example, on pages 3 and 4 of the specification, and in FIG. 1.

Independent claim 10 does not, as the Examiner alleges, set forth a data structure of

any sort.

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Therefore, the Applicants respectfully submit that the Examiner's rejection under 35

U.S.C. § 101 is not proper and should be withdrawn.

Claims 1-10 of the present application are in condition for allowance.

<u>CONCLUSION</u>

Since the remaining patents cited by the Examiner have not been utilized to reject

claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or

rendered moot. It is believed that a full and complete response has been made to the

outstanding Office Action, and that the present application is in condition for allowance.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a

three (3) month extension of time for filing a reply in connection with the present

application, and the required fee of \$1020 is attached hereto.

If the Examiner believes, for any reason, that personal communication will expedite

prosecution of this application, he is invited to telephone Carl T. Thomsen, Registration No

50,786, at (703) 205-8000.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By //Mhu

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